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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/665,564	09/22/2003	Louis R. Degenaro	YOR920030126US1	6151

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EXAMINER	
SYED, FARHAN M	

ART UNIT	PAPER NUMBER
2165	

MAIL DATE	DELIVERY MODE
02/01/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Advisory Action Before the Filing of an Appeal Brief	**Application No.** 10/665,564	**Applicant(s)** DEGENARO ET AL.	
	Examiner FARHAN M. SYED	**Art Unit** 2165	

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 19 January 2010 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE.

1. ☒ The reply was filed after a final rejection, but prior to or on the same day as filing a Notice of Appeal. To avoid abandonment of this application, applicant must timely file one of the following replies: (1) an amendment, affidavit, or other evidence, which places the application in condition for allowance; (2) a Notice of Appeal (with appeal fee) in compliance with 37 CFR 41.31; or (3) a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114. The reply must be filed within one of the following time periods:
   a) ☐ The period for reply expires _____months from the mailing date of the final rejection.
   b) ☒ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection.

   Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (b) WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

NOTICE OF APPEAL

2. ☐ The Notice of Appeal was filed on _____. A brief in compliance with 37 CFR 41.37 must be filed within two months of the date of filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR 41.37(e)), to avoid dismissal of the appeal. Since a Notice of Appeal has been filed, any reply must be filed within the time period set forth in 37 CFR 41.37(a).

AMENDMENTS

3. ☐ The proposed amendment(s) filed after a final rejection, but prior to the date of filing a brief, will not be entered because
   (a) ☐ They raise new issues that would require further consideration and/or search (see NOTE below);
   (b) ☐ They raise the issue of new matter (see NOTE below);
   (c) ☐ They are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
   (d) ☐ They present additional claims without canceling a corresponding number of finally rejected claims.

   NOTE: _____. (See 37 CFR 1.116 and 41.33(a)).
4. ☐ The amendments are not in compliance with 37 CFR 1.121. See attached Notice of Non-Compliant Amendment (PTOL-324).
5. ☐ Applicant's reply has overcome the following rejection(s): _____.
6. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
7. ☐ For purposes of appeal, the proposed amendment(s): a) ☐ will not be entered, or b) ☐ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.
   The status of the claim(s) is (or will be) as follows:
   Claim(s) allowed: _____.
   Claim(s) objected to: _____.
   Claim(s) rejected: _____.
   Claim(s) withdrawn from consideration: _____.

AFFIDAVIT OR OTHER EVIDENCE

8. ☐ The affidavit or other evidence filed after a final action, but before or on the date of filing a Notice of Appeal will not be entered because applicant failed to provide a showing of good and sufficient reasons why the affidavit or other evidence is necessary and was not earlier presented. See 37 CFR 1.116(e).
9. ☐ The affidavit or other evidence filed after the date of filing a Notice of Appeal, but prior to the date of filing a brief, will not be entered because the affidavit or other evidence failed to overcome all rejections under appeal and/or appellant fails to provide a showing a good and sufficient reasons why it is necessary and was not earlier presented. See 37 CFR 41.33(d)(1).
10. ☐ The affidavit or other evidence is entered. An explanation of the status of the claims after entry is below or attached.

REQUEST FOR RECONSIDERATION/OTHER

11. ☒ The request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
12. ☐ Note the attached Information *Disclosure Statement*(s). (PTO/SB/08) Paper No(s). _____
13. ☐ Other: _____.

/Neveen Abel-Jalil/
Supervisory Patent Examiner, Art Unit 2165

/F. M. S./
Examiner, Art Unit 2165

Continuation of 11. does NOT place the application in condition for allowance because: The Applicant argues:
(1) The combined prior art of record does not teach virtual table.
The Examiner disagrees. The combination of Funderburk, Loaiza, and Guzman teaches virtual resource (i.e. "Alternatively, user-defined functions are registered with the database system to create "virtual tables" that create a view of data in the recovery logs. The user-defined functions dynamically retrieve and populate column values for a virtual table from underlying data sources." In the Applicant's specification, see page 3, lines 1-3, where the applicant defines a resource as "resource might be a database table, a Java.RTM. Bean, an Enterprise Java.RTM. Bean (EJB), a Java.RTM. object, a legacy application, a Web Service, a flat file, an eXtensible Markup Language (XML) file, etc." Therefore, the Examiner interprets virtual tables as virtual resource.)(Loiza, Column 5, lines 37-42)

(2) The combined prior art does not teach or suggest connecting the actual resource to the at least one virtual resource.
The Examiner disagrees. The combination of Funderburk, Loaiza, and Guzman discloses or suggests connecting (i.e. accessing at run-time)(column 2, lines 65-67; column 3, lines 1-6) the actual resource (i.e. underlying data source(s))(column 2, lines 65-67; column 3, lines 1-6) to an at least one virtual resource (i.e. virtual table)(column 2, lines 65-67; column 3, lines 1-6).

(3) The combined prior art does not teach selectively manipulating the retrieved virtual resource by updating or deleting at least a portion of the retrieved virtual resource; and authoring the virtual resource into a logic code stored and executable by a computer to generate a second actual resource from the virtual resource.
The Examiner disagrees. The combination of Funderburk, Loaiza, and Guzman teaches selectively manipulating the retrieved virtual resource by updating or deleting at least a portion of the retrieved virtual resource (The tables in Guzman utilizes SQL language which includes the option of updating or deleting at least portion of the retrieved virtual resource. Therefore, this limitation is at least suggested by Guzman. In addition, updating and deleting the retrieved virtual resource is an intended use of manipulating the retrieved virtual resource.); and authoring the virtual resource into a logic code stored and executable by the computer to generate a second actual resource from the virtual resource (see column 10, lines 35-67).

All other arguments have been addressed in the Final Office Action, mailed 18 November 2009.